

ARGUMENT/REMARKS AND CONSIDERATIONS**RESPONSE TO OFFICE ACTION REGARDING
AMENDED CLAIMS overcoming 102 and 103 rejections for application 10,679,075**

RE: Enclosed are new Argument/Remarks & Declaration(s) for Reconsideration of Amended Claims 21, 25, 26, 27, 28, 29, 31, 32, 33, 36, 37, 38, 39, 40 and 41 currently being submitted in this response. As per our informal PHONE CONVERSATION WITH the PATENT EXAMINER (PHI DEU TRAN A), I have Amending all the Claims listed herein so as to equal what we covered in our informal phone interview with then attorney Mark Young, representing my case previously.

Please consider these Arguments and Remarks for reconsideration of all Currently Amended Claims:

* Notification to the examiner that currently entered Declaration (s) for this application (#10,679,075) from Lucas & Scott Engineering Inc. and the Declaration from Dr. Charles E. Forbes (Lonach Consulting Inc) are both being submitted with this application.

In reference to the following applications and 102 and 103 rejections, I have submitted a brief argument why I believe that these patents do not clarify or describe an "unobstructive" Energy Generating Shelter System and Method with the enclosed patents alone or in combination.

- **Kowalski (5, 570,000)** see Fig. 1 (alone or in combination, this invention is not relevant due to the current claims (1 and 2) now being submitted that does not contain a light emissive layer, Also, theirs no unobstructive structure mentioned or shown with this device and no light emissive layers being submitted with the current claims. So, this device does not apply to the newly Amended claims and does not support unobstructed aspects in it's structural design or current form and is not comparable respectfully).

- **Saunders (422,668)** (See all Figures) (this application does not teach a lateral placed support or unobstructive aspect, placing it's vertical column's away from a parking space with it's foundation or support unobstructively located or placed away from a parking space and does not teach a canopy made of photovoltaic panels that is unobstructively combined with the device)

- **Dinwoodie (D408,554)** see Fig 6. (this application does not teach an unobstructive element, and it's support columns are "obstructively" placed in the middle of the device which would in essence hinder and obstruct a vehicle's ingress and egress if placed in a parking space and cannot correctly protect the vehicle from the elements unobstructively; and further, it is not clear or taught what this design shades or what it's dimensions are covering or where it's placed unobstructively)

(II.)

- Lane (192,723) see Figure 1. (this application does not teach an unobstructive element or mention a laterally placed support, this design shows "obstructive" supports in the middle of the canopy and towards the end of the canopy which is clearly obstructive or not taught as to being unobstructive and is not clearly placed away from the parking space and is not clear as to being placed indirectly away from the parking space providing unobstructive access for a vehicle)

(III.)

ARGUMENT/REMARKS AND CONSIDERATIONS**Appendix of patent claim reasoning for Application: 10,679,075**

Claims 21, 33 and 36 in this application have been Currently Amended, as per our (informal) phone conversation with then attorney (**Mark Young**), which we covered and distinguished mainly **Claims 1-26**. In that conversation, regarding application **11,438,195** the same reasoning is now being applied and used in this application **10,679,075** since both applications previously covered basically the same claim approach and language, using the light emitting layer and the photovoltaic canopied aspect.

As per our conversation, the Independent Claims covered and discussed were mainly **Claims 8** (multiple stacked versions layers) and **Claim 19** (on the same substrate layers) which are now Currently Amended in this application with the light emitting diode device clarification and use with a top-mounted photovoltaic canopy and replaced with the equivalent of being placed on the same substrate, as dictated in the previously submitted claim **Claim 19** of application **11, 438,195** and “now” utilized in this applications **Independent Claims 21, 33 and 36** with Dependent claims covering alternative and clarified embodiments of this claimed invention in, **Dependent Claims 25, 26, 27, 28, 29, 31, 32, 37, 38, 39, 40 and 41**.

Claim 36 has also been Currently Amended with a laterally placed aspect of the carports structure indirectly mounted away from the parking space, distinguishing the “substantial” unobstructive structural aspect, location and placement of the support column to the parking space and sheltered area, more specifically while also indentifying the composition of the claimed photovoltaic carport roof embodiments of the Light Emitting LED and/or OLED with the photovoltaic canopy on the same substrate, as listed in Independent and Dependent claims listed above.

(IV.)